

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: August 24, 2005

CALLED TO ORDER: 6:09 p.m.

ADJOURNED: 8:03 p.m.

ATTENDANCE

Attending Members

Mary Moriarty Adams, Chairwoman
Greg Bowes
Vernon Brown
Sherron Franklin
Lynn McWhirter
William Oliver
Lincoln Plowman
Scott Schneider

Absent Members

AGENDA

BUDGET HEARING

Marion County Prosecutor and Child Support Division
Marion County Clerk
Community Corrections
County Coroner

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, August 24, 2005. Chairwoman Mary Moriarty Adams called the meeting to order at 6:09 p.m. with the following members present: Greg Bowes, Vernon Brown, Sherron Franklin, Lynn McWhirter, William Oliver, Lincoln Plowman and Scott Schneider. Also present was Bart Brown, the Council's Chief Financial Officer.

Chair Moriarty Adams apologized for the late start of the meeting due to a prior meeting and asked for the Committee's approval to alter the order of the meeting to allow the County Coroner to present first. There were no objections.

County Coroner

Dr. Kenneth Ackles, Marion County Coroner, said that there have been a few changes since his election which include no longer working with the Sheriff for vehicles and gasoline, and that Indiana University (IU) will no longer perform autopsies for the department after September 30th. IU was planning to eliminate the entire staff, but the Coroner's Office would like to have the staff work for them instead of having to recruit new people. Dr. Ackles said that the idea of having IU's staff work with the Coroner's Office has worked well so far instead of having to recruit people at this time. He said that mostly all the staff is interested except for one; therefore, the transition is going well. With a transition of this nature, there is a monetary difference, which is the reason for coming before the Committee.

John Linehan, Chief Deputy Coroner, read a typed statement included in Exhibit A of the Coroner's presentation. [Clerk's note: A full printout of Exhibit A is on file in the Council Office with the original set of minutes.] Mr. Linehan's discussion included:

- An overview of the Marion County Coroner's Office's responsibilities.
- A list of the Coroner's staff and hours of operation.
- Information on present autopsy procedures that will be discontinuing on October 1, 2005, and the impact the discontinuation will have on the Coroner's Office.
- Current budget expenditures
- Information on fleet services
- Supporting information on the need and reason for conducting autopsies.

Also included in Exhibit A are:

- A copy of the Marion County 2006 Proposed Budget.
- Documentation of costs for monthly supplies and outside services provided by IU Pathology last year.
- Budget documents of Midwest cities comparable in size to Indianapolis including Cincinnati, St. Louis, and Louisville.

Mr. Linehan explained that IU has conducted autopsies for the Marion County Coroner's Office for the past 12 years, but will no longer support a Forensic Science Division at the University. The University gave the Coroner's Office a 60 day notice that they will no longer perform autopsy services. The last time the Coroner's Office was trying to find a Forensic Pathologist, it took seven

months, and that one was recruited from in town. If it is necessary to recruit from another city, 60 days is not enough time. The Coroner's Office has a proposal that was presented by members of IU Forensic Pathology to continue the service, but due to the elimination of reduced costs for hospital supplies, linen services, and hazardous waste services, the Coroner's Office would be faced with paying an additional \$40,000 per month to support the service with IU. He said that there are no other Forensic Pathologists in town; therefore, leaving no option to go elsewhere. He said that the Coroner's Office could try to get private autopsies done, but they only perform forensic autopsies, and the most inexpensive private autopsy would cost about \$3,500 plus additional costs. IU was providing those services in the past for about \$700 - \$800. With the new service, it would cost about \$1,000 each, which is still well below \$3,500.

Mr. Linehan stated that he has looked over the numbers, and the Coroner's Office has the bare minimum of staffing. He said that of the 15 appropriate Full Time Equivalent (FTE) positions, the Coroner's Office only has 13, but the additional has to be saved for the part time staff. He said the operational supplies reflect the actual cost of performing an autopsy and the supplies to perform the autopsy based on a 12-month period. He said that the Coroner's Office conforms to alternative ways to reduce spending. For example, buying paper directly from an office supply store as opposed to using the paper that Xerox offers because of a better price and being able to purchase vehicles elsewhere at a lower price than what the Sheriff's Office offers. He said that although these things are done, there is not much room to reduce their budget or staff. They are also looking for other ways to generate more consumer revenue, but have not yet noticed the benefits of current efforts returned to the department in the way of additional funding. He asked that the Committee look over the information that he has provided and consider the need of the Coroner's Office.

Dr. Ackles mentioned that the suicide rate in Marion County unfortunately is up by about 20%, which increases the budget in order to perform effectively. Mr. Linehan added that there were three triple homicides this year; one homicide resulted in the Coroner's office spending one month on the scene and absorbing 100 percent of costs of excavating three bodies out of a 14-inch slab of cement, which cost \$50,000. With that, the Coroner's Office is still under budget for the year due to cut-backs and holding off on hiring staff as long as possible. As part of these cut-backs, the Coroner's Office has an answering machine that answers calls about 50% of the time, which is unacceptable for a city of our size; did not buy police radios this year, therefore some of the deputies have no way of communicating with the Police Department; did not purchase new computers; and is sharing vehicles to stay under budget. The 24 hour shifts are stressful for the employees, and there is a need to increase staff.

Councillor McWhirter asked how many more employees the Coroner's budget calls for. Mr. Linehan said they functionally have 13 FTEs, but on paper it shows 15, but the funding that is represented by the additional 2 positions is needed to cover for time taken off by a Deputy. Councillor McWhirter asked if the Coroner is asking for additional employees. Mr. Linehan answered that the Coroner's Office needs to absorb more employees, but part of that is through Indiana University. He said that the office would be funding 15 FTEs, which is what they have been appropriated, but have not funded in the past. The Coroner's Office was given additional

FTEs last year, but no money was given to pay for those positions, and that is what is needed now. Councillor McWhirter asked about the \$375,000 rent and \$30,000 for the copier that the Coroner's Office has in its budget. Mr. Linehan said that the rent is a fixed rate because they are leasing the building on a 10-year lease, and the \$30,000 is for leasing machines that was also through a lease agreement from the prior administration. Councillor McWhirter asked if the \$1.3 million for contractual services is for the proposal from IU. Mr. Linehan said they already had a contractual agreement for close to \$800,000 and the additional \$500,000 would be for the new contractual agreement with the IU Services Group. Councillor McWhirter asked if the Coroner's Office has checked to see if it would be more inexpensive to hire people to do the job. Mr. Linehan answered in the affirmative and said that it would be more expensive to get private services than what the Coroner's Office would pay to IU. He said the Coroner's Office is required to have a board certified forensic pathologist perform the autopsies and cannot hire a general pathologist. Dr. Ackles added that the Coroner's Office is also under a restraint of only a couple months' notice from IU.

Councillor McWhirter asked Bob Clifford, Controller, if he was aware that there were changes with IU when the Coroner's budget was being coordinated and if changes can be made to accommodate the needs of the Coroner's Office due to those changes. Mr. Clifford said that when he met with Dr. Ackles and Mr. Linehan, they were not yet aware of the problems with the IU contract. He said that the Controller's Office was informed by the Mayor's Office that IU had not been paid since January of 2005 under contract, due to the signed contract not being sent to the County. After this discovery, Mr. Clifford was told in mid-July that IU did not like the terms of the contract and was going to get out of the contract. Tonight is the first that he has heard about the actual changes that IU has made. He said that he will talk with Mr. Linehan to see how far he can make it on the current budget and thinks there will have to be a reexamination based on the final conclusion with the pathologist. Mr. Linehan said that some of the information that he has was just given to him this afternoon; therefore, he has not had a chance to discuss the changes with Mr. Clifford.

Councillor Bowes asked if the total budget amount of \$2.8 million on the last page of Exhibit A is reflecting that the Coroner's Office is asking for an additional \$1 million over the budgeted amount of \$1.8 million that the Controller's Office has allotted. Mr. Linehan said that the \$2.8 million reflects the original amount requested by the Coroner's Office. Councillor Bowes asked what specific items account for the \$1 million difference. Mr. Linehan answered that \$360,000 is for operational supplies, which were previously supplied by IU; a little more than \$500,000 for contractual services, due to IU's program change; and a few other supplies. Councillor Bowes asked if the Coroner's Office is trying to recover the \$77,000 that was reduced from the 2005 budget. Mr. Linehan answered in the affirmative.

Councillor Franklin asked why the Sheriff's Office discontinued its help with vehicles and maintenance. Mr. Linehan said that the Sheriff's Office stopped everything and that he does not think that the Sheriff had money in its budget to continue supplying the help. Councillor Franklin asked if IU is discontinuing its Forensic program or if they simply want out of the contract with the

Coroner's Office. Mr. Linehan answered that IU is discontinuing its support of the entire Forensic Pathology School. Councillor Franklin asked if the Coroner's Office would have to set up a new facility to support hiring a new Forensic Pathologist. Mr. Linehan answered that the facility is in the Coroner's building, but the equipment belongs to IU. He said the Coroner's Office is working to negotiate a price to buy the equipment since IU will no longer need the items. One of the options of the Coroner's Office is to start from scratch and hire all new employees. However, IU will fire all their current employees but one, effective October 1st. Those employees are willing to come together as a group and take over the contract, with the task of only having to hire a Forensic Pathologist. Mr. Linehan said that he is also working with Clarian Hospital to get a break on some services in exchange for allowing nursing and paramedic students to come through the facility for autopsy experience by either charging a fee to generate additional revenue or as an exchange for services. Councillor Franklin asked if there will only be one Forensic Pathologist to work on all the bodies that come in. Mr. Linehan answered that there is one primary and one back-up on duty 24 hours a day. There is also a third person that rotates with the other two on a weekly basis; therefore, each person will work two weeks and be off one week.

Councillor Bowes asked how the approximate 2,000 death cases that the Coroner has worked on to date this year compares to years past. Mr. Linehan said that it has been fairly steady for the past several years. He said 4,000 cases were looked at last year, with 1,356 autopsies or examinations conducted, and the Coroner's Office is expected to do the same this year. The difference may be in the cause of the cases, whether homicide, accident, or suicide.

Mr. Brown commented in regard to Mr. Linehan's statement of saving money by purchasing copy paper from an office supply store; that the difference is that Xerox offers a package that includes the copy paper and the amount the departments are charged to copy. He also asked if the vehicles that Mr. Linehan stated that he could purchase for a lower price are used or brand new vehicles. Mr. Linehan answered that the vehicles they were able to purchase were new vehicles that were two years old and still on the lot that were not able to be sold. Some were demos.

Councillor Oliver asked if a fee can be charged on the autopsies. Mr. Linehan said only if a person is injured and dies in another county and is transferred to Marion County; that other county can be and is charged approximately \$2,000 for the autopsy. Otherwise, the Coroner is required by law to do Forensic autopsies and cannot charge for the service. Councillor Oliver asked how Marion County's fees compare to other cities. Mr. Linehan said that Marion County operates at 60% of the budget of the cities included in Exhibit A.

Chair Moriarty Adams asked Mr. Clifford or Jeff Seidenstein, Budget Manager Controller's Office, if they had anything further to add. Mr. Clifford said that he will sit down with the Coroner's Office to figure out what can be done with the money that the City has. Chair Moriarty Adams asked if this will be between now and the final review. Mr. Clifford answered in the affirmative.

Marion County Prosecutor and Child Support Division

Mr. Seidenstein said that he placed a handout (Exhibit B) at each seat for the Councillors that relates to the amendment of the revised budget for the Prosecutor's Office.

[Clerk's note: A full printout of Exhibit B is on file in the Council Office with the original set of minutes.]

Carl Brizzi, Marion County Prosecutor, said that the Criminal Justice System is in need of some big fixes, which includes the addition of more jail beds and additional officers on the streets, especially for the Marion County Sheriff. He said that steps are being taken tonight towards incremental improvements in terms of improving the Criminal Justice System situations. Mr. Brizzi gave a presentation which included the following highlights:

- The baseline budget that was submitted to the Controller for the County General, Deferral, and Diversion funds.
- The recommendation from the Criminal Justice Commission of an additional \$2.7 million.
- The plans for the County Option Income Tax (COIT) money, which includes
 - salary increase for Deputy Prosecutors
 - raising minimum starting salary for prosecutors
 - adding 17 additional prosecutors
 - supplying six additional prosecutors in the six major felony courts
 - adding five lawyers for the new major felony court
 - adding seven additional support staff positions
 - adding a drug court prosecutor
- The average caseload of the Deputy Prosecutors.

Several months ago, the Prosecutor's Office created a homicide unit of the most experienced lawyers in the office trying murder cases and the remainder of the lawyers trying B & C Felony cases and second chairing murder trials. The additional prosecutors will allow more help for homicide prosecutors.
- The reason for adding a prosecutor to drug court (Court 20)
 - The number of filings is increasing.
 - Marion County is responsible for 55% of the Department of Corrections (DOC) population.
 - Some of the people being sent to DOC are drug dealers who do not want to modify their behavior.
 - Problems with MethAmphetamine (Meth).
- Alternative funding
 - grant of approximately \$2.4 million, which is becoming harder due to Law Enforcement Forfeitures that are typically driven by DEA and FBI who are more focused on preventing terrorist attacks.

- almost half of salary and fringes paid to employees are also from alternative sources of funding.

Grant Initiatives

- Victim Advocates
- Adult Protective Services
- Senior Sentinels
- Gang Task Force Prosecutor
- Fatal Alcohol Crash Team (FACT)
- Traffic Safety Partnership
- “My Kid” Program – Mentoring program for four city and township schools.
- Human Trafficking – modern concept of slavery

Chair Moriarty Adams commended the Prosecutor’s Office on obtaining grants.

Councillor Franklin asked what the turnover rate is this year compared to last year. Mr. Brizzi said that he does not have the exact number, but it is high. He said that he thinks that paying more money to people who are sacrificing is the right thing to do. He said that it may also be due to law school graduates obtaining the job right after school to gain the trial experience and possibly leaving to pursue other areas.

Councillor Schneider asked if there is a fee for the Adult Protective Services and other adult services that are provided. Mr. Brizzi said that the Family and Social Services Administration (FSSA) helps pay for that and that Marion County is simply the coordinator of the program.

Councillor Oliver asked for further explanation of drug users, specifically of Meth, being sent to DOC. He asked if there are specific numbers for Meth offenders that are sent to DOC. Mr. Brizzi said that he thinks that it is very rare for a casual user to be sentenced to DOC who has not had the opportunity to get drug treatment. He said that most of the people that are sent for long sentences are drug dealers and that he does not have the specific numbers in regard to Meth, but could provide those numbers. Councillor Oliver asked if there is any data intake on the increase of crime in the suburb and township areas. Mr. Brizzi said that murders are holding steady, but property crimes are increasing. He said that he thinks this is increasing because offenders of low-level crimes are not facing consequences and are being rotated in and out of the Arrestee Processing Center in two hours due to the lack of space in the Marion County Jail. Councillor Oliver asked if the narcotics cases being sent to DOC are of offenders committing crimes in the proximity of where the offenders’ live or other areas. Mr. Brizzi said that he is unsure but that research could possibly be done to obtain those answers.

Chair Moriarty Adams asked if the human trafficking is of children. Mr. Brizzi said that it is across the board and they are just now scraping the surface. He said that some of the biggest issues for the next couple of years include: Meth, identify theft, immigration problems, and the new issue of human trafficking.

Councillor Franklin asked Mr. Brizzi if he could explain human trafficking. Mr. Brizzi said that it consists of bringing people over from other countries who do not speak English, who have no ties to the community, and enslaving them for forced labor or sexual trades.

Mr. Brizzi said that the first priority of the Prosecutor's Office is to focus on traditional, in-the-courtroom prosecution, which will effectively and fairly prosecute criminals. The second goal is to work toward prosecution prevention and intervention by educating the community on a variety of issues.

Councillor Bowes said that he is supportive of the recommendations of the Criminal Justice Planning Council regarding salary increases. He said that the National District Attorneys Association reflects that the City's salaries are well below the national average. He asked about the proposal that suggested a significant difference in Character 01 for the County General Fund, but not much difference in the Diversion and Referral Fee Fund and Child Support. Mr. Brizzi said that it was a bit complicated and thought that he would determine what money would be appropriated and then apply it to the different areas if acceptable with Council. Councillor Bowes asked how the staffing additions compare to 2005, 2004, & 2003. Mr. Brizzi said that the number differs because of attrition issues, but it is normally in the range of 130 lawyers and the 17 would be added to that. Councillor Bowes asked if there are less experienced Deputy Prosecutors working on more serious cases compared to previous years. Mr. Brizzi said that the Prosecutor's Office follows a cycle of hiring lawyers once they pass the bar, which is given twice a year. He said that most times the Prosecutor's Office is down lawyers because people leave whenever they are ready to leave and it may not be during a good time to hire. He said that there are times when they hire young lawyers right out of law school and other times when experienced lawyers have been hired that may have left prosecuting and decided to return. In the past two weeks, four lateral or experienced hires have been accomplished. He said that the Homicide unit was created to ensure that the most experienced lawyers are prosecuting the more complicated cases. Councillor Bowes said that he would like to see a measurement of the impact of increasing the budget. Mr. Brizzi said that it could be compared by looking at the attrition rate for this year and looking back at the rate next year and to what extent. Councillor Bowes asked if the Prosecutor's Office could look at the amount of experience of the Deputy Prosecutors and determine an average to compare to the national average and to determine if the lawyers are able to gain the experience needed to try major felony cases. Mr. Brizzi answered in the affirmative and stated that they will look at how to do that within the next couple of weeks.

Councillor Bowes asked Mr. Brizzi what his view is on the COIT increase, which will devote resources to public safety and fight the issue of jail overcrowding. Mr. Brizzi said that he had a difference of opinion about how the money should be spent and how much was allocated toward solving the problem. He said he supports paying the Prosecutors as well as the Public Defenders more money to provide a level of comfort. His concern is that some have said this will be a cure-all and that extra jail beds will not be needed. He does not believe that and feels that all police

officers should continue to work, more officers should be added to the Sheriff, and that more jail beds are needed.

Councillor McWhirter asked Mr. Clifford if he could explain what the additional \$200,000 is for that is included in the revised budget. Mr. Clifford said that the original amount was a mistake and the revised version included the correct amount. Mr. Seidenstein said the \$218,000 that was added back to the County General Fund was originally requested in the Diversion Fund, but there was not sufficient revenue in the Diversion Fund. It was intended to be put in the General Fund, but the amount was left out. He said that there should also be a correction for the County General Fund in the column marked 6/30/2005 Revised; it is actually the original budget, and there was also a \$250,000 appropriation that was approved by the Committee and the full Council that is not reflected on the handout. Therefore, the grand total of the County General Fund's current budget for 2005 is actually \$7,377,193.

Chair Moriarty Adams asked if Mr. Clifford or Mr. Seidenstein would like to add anything. Mr. Clifford said that he did not have anything to add for the Prosecutor, but would like to inform the Committee that the Controller's Office made budget cuts across the board in the preliminary version of the budget. He said that they thought they restored all the cuts to the public safety agencies, but the Clerk will attest that the funds were not returned on their behalf. He said that there are instances where the COIT money did not get back into the budget. Chair Moriarty Adams asked if the money will be put back. Mr. Clifford answered in the affirmative and said that the provision will be put into the Controller's proposed budget with the Council's consent.

John Owens, Chief Deputy Prosecutor, presented information for the Child Support Division. He said that the agency's caseload continues to grow and is currently up 8.5% from last year. He said that the agency continues to increase collections, due to innovative planning and hard working staff. The agency is currently on a rate to collect about \$85 million this year. The federal government heavily subsidizes the Child Support Enforcement Program and through the total budget of a little over \$4 million, the County will attain reimbursements of almost \$3 million. He said that hopefully through measurement of the agency's performance on the federal performance factors listed in Exhibit C, the department will earn an additional \$260,000. Both of these factors will result in additional revenue of more than \$3 million to the County and to the agency. Mr. Owens also mentioned that the Child Support Division's budget is increased by about \$134,000, which represents an increase in ISA charges.

Councillor McWhirter commented that the internet site in which child support can be paid from employees' paychecks is a good idea. Mr. Owens said that program is credited to the Clerk's Association and the State Child Support Bureau.

Marion County Clerk

Doris Anne Sadler, Marion County Clerk, introduced the Chief Deputy Clerk, Tony Schaffer and explained that the Clerk's Office is responsible for the court records in Marion County and also

handles child support distribution and collection. A handout (Exhibit C) was distributed to all Councillors. [Clerk's note: A full printout of Exhibit C is on file in the Council office with the original set of minutes.] Ms. Sadler's presentation included the following key points:

- Clerk's Office revenues
 - new law passed this year to charge a \$10 per defendant fee.
- Revenue Enhancements
- Character 01
 - personal services – will have another revised budget for differences in benefits.
 - increases – shows the difference between the 2005 and 2006 budget. Clerk's Office has a very high turnover rate that will hopefully be counteracted by salary increases.
 - cost savings
 - challenges
- Character 02 – supplies and cost savings
- Character 03 – other services and charges, expenditures, and cost savings
- Character 04 – capital and cost savings
- Special Funds budget, explanations, and uses

Chair Moriarty Adams asked if the revenues from the Clerk's Perpetuation Fund are from fees that are charged. Ms. Sadler said that a portion of the filing fees that people pay when cases are filed in the court go into the Perpetuation Fund to pay for things such as computer systems.

Councillor Schneider asked if Ms. Sadler could explain some of the uses of funds from the Perpetuation Fund. Ms. Sadler said that \$300,000 was set aside this year to pay for servers for the Justice.net upgrade. For the 2006 budget, the charge-backs from ISA to pay for computers and technology costs were transferred out of the General Fund account to the Perpetuation account to cover those charges. Councillor Schneider asked if there are any stipulations on what the money from the Perpetuation Fund cannot be used for. Ms. Sadler read information from the statute that states that the Clerk may use any money in the fund for the preservation of records and the improvement of record-keeping systems and equipment.

Councillor Bowes asked if there are any other details that need to be looked at on the differences between the 2005 and 2006 budgets. Ms. Sadler said that she simply points out the two main impact issues of the \$200,000 coming out of the Clerk's Perpetuation Fund to cover ISA expenses and, more importantly to the Clerk's Office, the salary increases and health insurance benefit increases that are in Character 01. Mr. Clifford said that there were a number of County agencies that had reductions in their benefits, as well as some that had increases; therefore, once it is more closely examined there should not be a significant overall impact on the County General Fund balance. Mr. Brown referred back to the new defendant fee discussed earlier and asked if the Clerk's Office expects the revenue from that fee to pay for postage fees. Ms. Sadler answered in the negative and stated that she simply noted the fees as additional revenue and is not expecting the fees to pay for any charges. She stated that the appropriations of the Clerk's Office are at the appropriate level.

Councillor Bowes asked if and when the Clerk's Office may be approaching a more paperless goal. Ms. Sadler said that the Clerk's Office is currently working on converting to the Justice.net environment. She said that this enables the Clerk's Office to make programming changes and upgrades in the system. This process used to take about three months to program for a new type of report, but now can be done in a day. She said this is the first step in the process of obtaining online filings, which corresponds with the goal of the Criminal Justice System to eventually have the paperless-type system. She said that it will be years before that point is reached, but the first steps are being made to reach that goal.

Community Corrections

Brian Barton, Executive Director, distributed a handout (Exhibit D) and introduced Tiffany Clark who is responsible for the agency's finances. [Clerk's note: A full printout of Exhibit D is on file in the Council Office with the original set of minutes.]

Mr. Barton said that 2006 will look a lot like 2005, in which three things were focused on: finding and securing a work release center to help on the post-trial side as well as the pre-trial side; growing the pretrial program; and the juvenile program. He said that there has been a tremendous growth on the post-trial and pre-trial programs; the post-trial programs grew by 3% and the pre-trial programs grew by 20% in relation to the year before. He said that he is proud that the Community Corrections agency will be getting \$225,000 for the General Fund and will increase the user fee, which derives from the home detention program, to make up the difference. The 2006 budget also reflects a decrease of \$225,000, but about \$149,000 will be utilized for additional ISA charges and possible charge-backs for legal fees.

Mr. Clifford said that the agency should receive credit for all of the money that is brought back because the other charges are fixed charges that are already in the base budget.

Mr. Barton said that the Community Corrections Department will continue to work hard; that the work release center is a priority and he is hoping to get some of the COIT dollars allocated for beds for that center. He said that later this year a plan will be introduced to MIBOR and the Council to rehabilitate the Delaware Youth Center, which was used as an overflow for the Detention Center, at a cost of about \$600,000. No tax dollars will be used to reopen this facility and it will offer the opportunity to house more juveniles at the local level.

Councillor Oliver asked how many juveniles are in custody on home detention and what the user fee amount is. Mr. Barton answered that 160 juveniles are on home detention, and the user fee is \$2 a day.

Councillor Bowes asked how the capacity matches for eligibility or demand for the home detention spots. Mr. Barton said the Community Corrections Board periodically revises the criteria and make occasional exceptions. For example, if a gentleman commits a robbery at age 18 and lives a crime-free life, but then gets charged with drunk driving at age 50, several years ago the man

would be considered ineligible. But individual cases such as this are now recognized and the department has attempted to grow with the system. Councillor Bowes asked if the City has the appropriate amount of equipment, such as beds, for the people that would be eligible for the work release program or home detention. Mr. Barton said that the home detention program will continue to grow as long as they continue to receive the equipment from the vendors. He said that the judges feel comfortable and confident in work release; thus, the reason it has been identified as a need. He said that 350 beds will help the pre-trial side with the emergency releases, but will also help the post-trial side by providing approximately 80 beds for reentry from DOC. Mr. Barton stated that screening has also greatly improved due to the use of nationally recognized screening tools.

Councillor Franklin asked if the \$2 home detention user fee is the same for juveniles and adults. Mr. Barton answered in the negative; he said that the adult fee is \$12 a day, but the fees are based on the individual's ability to pay. Councillor Franklin asked if there are more people that cannot afford to pay than those that can, resulting in a loss of revenue. Mr. Barton answered in the negative and stated that the department is not losing money, but has a surplus collecting at a rate of 52%. He said that the goal is to collect at a rate of 70%, but has lately taken more of a loss on the pre-trial side.

Mr. Seidenstein explained that Exhibit E does not reflect any change to the total budget for Community Corrections. It reflects a reallocation between the Conditional Release (Pre-trial fund) and the Home Detention User Fund. He said that the budget also does not reflect the COIT dollars that are expected to be obtained for the work release center.

Chair Moriarty Adams asked if the Character 03 amount change from \$75,000 to \$519,000 is because of the new work release center. Mr. Barton answered in the affirmative.

CONCLUSION

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 8:03 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chairwoman
Public Safety and Criminal Justice Committee